

REMARKS

This amendment is responsive to the Office Action of March 26, 2004. Reconsideration and allowance of claims 1-18, 20-28, 30-32, 34, 36-37, and 39 are requested.

The Office Action

Claims 1-18 stand allowed.

Claims 19-21 and 23-26 stand rejected under 35 U.S.C. § 103 as being unpatentable over Crewson (US 6,163,242).

Claim 22 was indicated as containing allowable subject matter.

Claims 27-28 stand rejected under 35 U.S.C. § 103 as being unpatentable over Crewson in view of Romanovsky (US 4,210,813).

Claims 29, 31-33, and 38 stand rejected under 35 U.S.C. § 103 as being unpatentable over Nablo (US 3,780,308).

Claim 30 stands rejected under 35 U.S.C. § 103 as being unpatentable over Nablo in view of Luniewski (US 4,484,341).

Claim 35 stands rejected under 35 U.S.C. § 103 as being unpatentable over Nablo in view of Crewson.

Claim 36 stands rejected under 35 U.S.C. § 103 as being unpatentable over Nablo in view of Crewson, further in view of Romanovsky.

Claim 37 was indicated as containing allowable subject matter.

The Examiner indicated that the prior art "does not teach to mount the capacitors connected to a Tesla coil of an electron generator axially within the Tesla coil".

**The Claims Distinguish Patentably
Over the References of Record**

Claims 1-18 stand allowed.

Claim 22, which was previously indicated as containing allowable subject matter, has been placed in independent form. Claims 23, 27, and 28 depend from claim 22. Accordingly, it is submitted that **claims 22, 23, 27, and 28** are now in condition for allowance.

Claim 24 is directed to a hand-held irradiation device including a pistol-grip handle and a trigger. Crewson makes no suggestion of such a portable hand-held device, much less of a trigger and pistol-grip by which the device can be used in a hand-held fashion. Because Crewson neither suggests this structure nor the added functional utility that it achieves, it is submitted that **claim 24 and claims 21, 22, 25, and 26 dependent therefrom** distinguish patentably and unobviously over the references of record.

Claim 32 is directed to a method of deactivating microbes in mail. By contrast, Nablo is directed to the deactivation of microbes on surfaces. It will be noted that the graph of Figure 1 of Nablo covers a depth of up to 7 mils. A mil, of course, is one-thousandth (0.001) of an inch. By comparison, a millimeter is about 1/25th (0.040) of an inch - over an order of magnitude larger. Mail that is several millimeters thick is not uncommon. Because Nablo only suggests killing microbes on or at very limited penetration depths from the surface, it is submitted that Nablo provides no motivation for the deactivation of microbes within mail.

Further, **claim 34** calls for the microbes to include Anthrax spores. Nablo is concerned with the killing of common airborne microbes that might settle on surfaces. Spores, including Anthrax spores, are among the most difficult to kill. Nablo makes no suggestion and provides no motivation to use the described technique to kill the rarely found and difficult to kill Anthrax spores specified in claim 34.

Accordingly, it is submitted that **claim 32 and claim 34 dependent therefrom** distinguish patentably and unobviously over the references of record.

Claim 37 was indicated as containing allowable subject matter. Accordingly, it is submitted that **claim 37 and claims 30, 31, and 36 dependent therefrom** now distinguish patentably and unobviously over the references of record.

New **claim 39** paraphrases the Examiner's reasons for allowing the allowed claims. Accordingly, it is submitted that **claim 39** is in condition for allowance.

Telephone Interview

If the Examiner believes that a telephone interview would be helpful in expediting the early allowance of the present application, he is invited to telephone the undersigned to discuss any potential Examiner's Amendments which might prove necessary in convincing the Examiner to allow the present application.

CONCLUSION

For the reasons set forth above, it is submitted that claims 1-19, 20-28, 30-31, 36-37, and 39 distinguish patentably over the references of record and are otherwise in condition for allowance. An early allowance of all claims is requested.

Respectfully submitted,

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